

**APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office SEP 17 1998
 Returned to applicant for correction NOV 04 1998
 Corrected application filed _____
 Map filed NOV 09 1998

The applicant **Gary Dykes**, hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **spring**
2. The amount of water applied for is **0.1 cfs** second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **irrigation and domestic**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated **4**
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point within the **SE¼ NW¼** of Section 3, T.13N., R.23E., M.D.B.&M. or at a point from which the SW corner of Section 4, T.13N., R.23E., M.D.B.&M. bears **S 67°52'04" W** a distance of **7,793 52** feet.
6. Place of Use within the **SE¼ SE¼** of Section 4, T.13N., R.23E. M.D.B.&M.
7. Use will begin about **January 1** and end about **December 31**, of each year.
8. Description of proposed works **catch basin, pipe, storage tank and distribution system**
9. Estimated cost of works **\$5,000**
10. Estimated time required to construct works **3 yrs**
11. Estimated time required to complete the application of water to beneficial use **5 yrs**
12. Remarks:

Gary P. Dykes
 By s/Gary P. Dykes
 1413 Douglas Ave
 Gardnerville, NV. 89410

Compared cms/bk hf/bk

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

A description of how wildlife has first access to the water prior to being used for irrigation must be filed with the State Engineer prior to the filing of the Proof of Completion of Work.

A copy of the document securing access to the spring from the Bureau of Land Management must be filed prior to placing the water to beneficial use.

The total combined diversion rate of Permits 64458 and 64459 shall not exceed 0.012 cubic feet per second.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.007 cubic feet per second, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

June 23, 2002

Proof of completion of work shall be filed before:

July 23, 2002

Water must be placed to beneficial use on or before:

June 23, 2005

Proof of the application of water to beneficial use shall be filed on or before:

July 23, 2005

Map in support of proof of beneficial use shall be filed on or before:

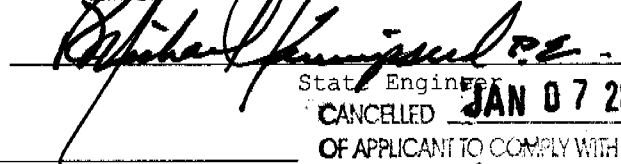
July 23, 2005

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 23rd day of June A.D. 2000


State Engineer

CANCELLED JAN 07 2003 BECAUSE OF FAILURE
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
Wam
Turnipseed, P.E. STATE ENGINEER

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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1413 Douglas Ave
Gardnerville, NV. 89410

Compared cms/bk

Protested _____

DENIAL OF STATE ENGINEER

This application is hereby denied on the grounds that there is insufficient unappropriated water at the source and it would threaten to prove detrimental to the public interest to grant a permit on a source of water where there would not be sufficient flow to ensure the customary use by wildlife as required under NRS 533.367.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Application of water to beneficial use shall be filed on or before:

Proof of the application of water to beneficial use shall be filed on or before:

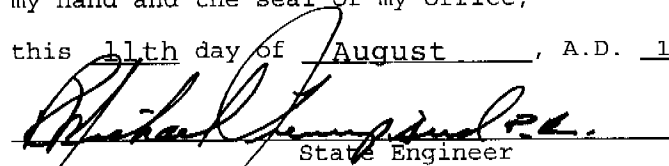
Map in support of proof of beneficial use shall be filed on or before:

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 11th day of August, A.D. 1999


State Engineer

Rescinded 3-18-00 See Ruling 4881

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____